

## COMMISSIONERS MEETING, MONDAY, SEPTEMBER 8, 2008

Patricia G. Geissman called the meeting to order at 9:31 a.m. with Stephen D. Hambley and Sharon A. Ray present.

The meeting opened with the Pledge of Allegiance and a prayer.

The oral reading of the minutes of the Commissioners' meeting on September 2, 2008 was dispensed with as each Commissioner had read them personally. Mr. Hambley moved to approve the minutes and the motion was seconded Ms. Ray. There was no discussion. Roll call showed all Commissioners voting AYE.

Scott Miller, Finance Director, presented and reviewed the following resolutions: (1) amending the 2008 Appropriations Resolution by transferring appropriations; (2) authorizing the transfer of funds from the Child Support Enforcement Agency Fund to the General Fund for Domestic Relations Court services; (3) transferring funds from the Child Support Enforcement Agency Fund to the General Fund for indirect costs; (4) transferring funds from various County department accounts to the Medina County Print Shop revenue line item; (5) approving the submission of the SFY09 funding recommendations for the Ohio Children's Trust Fund Grant; and, (6) amending the Catholic Charities agreement for service coordinators, a family support specialist, and intake and referral services for the Medina County Family First Council Help Me Grow Program. Mr. Miller requested payment of the weekly bills in the amount of \$797,050.23. Mr. Hambley moved to approve the six Finance resolutions and payment of the weekly bills; the motion was seconded by Ms. Ray. There was no discussion. Roll call showed all Commissioners voting AYE.

Gary Berkowitz, Human Resources Director, presented and reviewed a resolution approving personnel changes for the employees under the jurisdiction of the Medina County Commissioners. Mr. Hambley moved to approve the resolution; the motion was seconded by Ms. Ray. There was no discussion. Roll call showed all commissioners voting AYE.

Chris Jakab, County Administrator, presented and reviewed the following resolutions: (1) authorizing a request for proposal process for the provision of administrative services for the County's Employee Health Care Program; and, (2) approving a three-year agreement between the Medina County Sheriff and the Ohio Patrolmen's Benevolent Association, serving as the exclusive representative on behalf of the Deputies, for the period commencing January 1, 2008 and concluding on December 31, 2010. Mr. Hambley moved to approve the both resolutions, seconded by Ms. Ray. There was no discussion. Roll call showed all Commissioners voting AYE.

Mike Pataky, Child Support Enforcement Agency (CSEA) Director, discussed the new cash medical support provision that was enacted by federal and state governments that will designate an amount, separate and apart from the regular child support amount. The agency workers attended training last week and they will be attending more at the end of the month due to all of the changes. He also recently appeared with Domestic Relations Court Judge Mary Kovack on her cable TV show. That segment, which will run throughout September, should help the public understand the child support order changes. The purpose of the changes is to increase the number of children covered by health insurance. If there is no health insurance available, the obligor (the person who pays the child support) will have to pay to the custodial parent a premium on top of their child support to cover the cost of the insurance. The computer program

**COMMISSIONERS MEETING, MONDAY, SEPTEMBER 8, 2008**

provided by the State of Ohio has had some minor changes made to it in early September and many more will be made. Mr. Pataky indicated that he would be meeting with Judge Kovack next week to discuss and plan the implementation of these changes and expressed optimism that they will ultimately benefit children throughout Medina County.

Mrs. Geissman presented a resolution commending Connie Hanzlicek for her years of service with Medina County and offered her best wishes on her retirement from Probate Court. Mr. Hambley moved to approve the resolution, seconded by Ms. Ray. There was no discussion. Roll call showed all Commissioners voting AYE.

Mrs. Geissman presented a resolution proclaiming September 9, 2008 as “Faith in Action Medina County Caregivers Day”. Faith in Action Medina County Caregivers is a coalition of 16 congregations, home-schooled youth, AARP groups, and 55 public and private social service agencies that volunteered thousands of hours of their time and talents to benefit more than 497 senior citizens in 2007. Mr. Hambley moved to approve the resolution and Ms. Ray seconded the motion. There was no discussion. Roll call showed all Commissioners voting AYE.

The Commissioners also recognized some of Faith in Action Medina County Caregivers volunteers that attended the recognition breakfast with certificates of recognition as follows:

Joy Amos	Steve Hambley	Helen Schaeffer
Lowell Andolsen	Michelle Hearn	Donna Schmitt
Dan Ball	Bud Herrle	Bill Shelton
Rose Basey	Paul Keiper	Vera Shelton
Laurie Bieniosek	Doris Kilbane	Karen Soles
Al Bon	Francine Lacovic	Bill Stoughton
Betty Clough	Gary Lenhart	Jim Sutter
Pat Danszczak	Lyle McQueeney	Beatrice Tehi
Pete Danszczak	Carol McQueeney	Michael Tehi
Marli Elsass	Jackie Mitchell	Kim Thomas
Florence Fongheiser	Nancy Montgomery	Mary Jane Thomas
Marsha Ginley	Al Morrison	Faye Timms
Tony Giovinazzo	Joan Norris	Laura Toth
Bernice Goertzen	Donna Rauscher	Mary Jane Walter
JoAnna Graff	John Rhode	Tom Wolfe
Joan Groll	Theresa Rozak	Sue Wright
Anna Guy-Leach	Betty Ruppel	Pat Zona

The Clerk read the resolution to allow the expenses of County officials. Mr. Hambley moved to approve the expense resolution and Ms. Ray seconded the motion. There was no discussion. Roll call showed all Commissioners voting AYE.

The meeting was opened for public comment and no one wished to speak.

The meeting recessed at 9:50 a.m.

Discussion Session

**COMMISSIONERS MEETING, MONDAY, SEPTEMBER 8, 2008**

The meeting reconvened at 9:53 a.m. for the Discussion Session in the Commissioners' Conference Room.

Bill Strazinsky, Solid Waste Coordinator, reported that he has been working on the bid specification for the request for proposal (RFP) for the three Medina County Solid Waste District facilities: the Central Processing Facility (CPF) and the two compost facilities. He presented the proposed bid schedule as follows:

O & M bid specs drafted	September 15, 2008
O & M bid specs finalized	October 15, 2008
Brunswick City collections specs drafted	October 30, 2008
Incorporate Brunswick bid specs	November 30, 2008
Advertise for bids	January 6, 2009
Receive bids	February 19, 2009
Award bids	March 23, 2009
New contract to assume operation	July 1, 2009

Mr. Hambley explained the Brunswick City collection specification draft. At a meeting that he, Mr. Strazinsky, and Sanitary Engineer Jim Troike attended with the City of Brunswick's Refuse Committee to renew their contract, they expressed interest in a joint bid for the collection of solid waste. They could also invite other interested communities to join them. This could introduce some economies of scale and potentially reduce costs. Township residents are paying by subscriptions that range from \$21-\$24 per month. Brunswick residents are paying \$14 per month now, but it will likely go up because they had a five-year, long-term contract that will have a fuel component. The idea is to keep the costs down and the more they have in the pool, the lower the unit cost. Likewise, combining this bid with the bid for the CPF operation could offer an advantage. The intent was to include Brunswick as part of the overall process of going out for bid. The proposal will be brought to Brunswick City Council that evening to formalize their interest in pursuing it. The County will review the numbers to see if it could be a viable option to "go it alone" and have someone operate the CPF or combine it with the collection of solid waste.

Mr. Strazinsky said they did not want to eliminate some of the potential bidders; there are not that many companies that can both collect trash throughout the County and run the three facilities in Westfield Township. As a result, the Solid Waste District will finalize the bid specs by three methods: A, B, and C. A is the bid to run the CPF and its two composting facilities; B is the bid for the collection of trash; and C is for both. The City of Brunswick may require additional bid specs that do not make sense to put into the townships' specs. The contract with their haulers expires on June 30, 2009. Mr. Jakab added that they might split the hauling component into zones, depending on how many political subdivisions participate.

Mr. Hambley said the idea is to keep the costs from going up and, hopefully, bring the costs down in some of the townships that have subscriber service. Rather than having different companies going down the road at different times to every other household or every third household, the company awarded the bid would get every household. It would enable the hauler to be much more competitive. Over the next couple of months, the County will be approaching city and village councils and township trustees to see if they have interest in combining hauling costs on the collection of their solid waste and possibly saving money. It is up to them whether

## COMMISSIONERS MEETING, MONDAY, SEPTEMBER 8, 2008

they do or don't. Ms. Ray added that, again, they see the market advance toward regionalism - trying to combine community costs to decrease the costs to the taxpayers, and that is wonderful. Mr. Strazinsky said it would be an advantage for all parties involved.

There was a short discussion about the method of billing, restrictions, and mandatory requirements. Mr. Jakab said they asked Assistant Prosecutor Bill Thorne to put in writing what their abilities are regarding the haulers.

Mr. Hambley said they are pursuing these options and they would keep them informed. When it comes to a public utility, competition is typically more expensive. The market introduces competition, but the trouble is that "everybody runs down the same street with the same trucks" and that is inefficient.

Ms. Ray said Congressman Ralph Regula sent the County a notice that he would not be renewing his lease when it expires at the end of the year. She said she would work on a rate with Mr. Jakab to offer to whoever wins the congressional race in the fall because it is nice for them to have a presence in Medina County. The other Commissioners agreed.

Mr. Jakab introduced Mike Sharb of Squires, Sanders & Dempsey, LLP, to discuss the second draft of the "Agreement for Joint Construction and Management of Parking Facility". This would provide the Commissioners with the opportunity to ask questions, provide comments, and request changes on the document. They are hoping that the City of Medina will provide their requested changes to the document very soon.

Mr. Sharb presented the highlights of the document. He said that there are not specific statutes that authorize these types of agreements to construct these kinds of facilities; therefore, it does not require any particular party to do any particular thing - it is up to negotiation. The City assumes most of the responsibility with the agreement that is primarily the construction and operation of the facility. The City intends to construct the facility using a design/build approach, which is different from the customary formal opening of bids. The entire project, from design through construction, is completed by a unified professional team and it is built within the parameters that are put forth.

The site plan for the project shows the general orientation of the building on the site and surrounding area. This will be included in the material that the City will circulate to seek proposals from the design/build professionals and that was added to "Site Plan" on Page 5 and Page 9. Acknowledged on Page 8 is that the County will have input and approval of the site plan and the County owns the site and would continue to own the site. There would be a separate ground lease to the City. The parking facility would be owned jointly by the two parties and both would be putting money into it.

Mr. Sharb said they needed to determine in a document, what happens after the 50-year term that has been proposed for the ground lease transaction. Typically, the ground would come back to the County with whatever is attached to it. Mrs. Geissman pointed out that there could possibly be demolition of the facility and there would be a cost to that. Mr. Sharb said it would not be unusual in a ground lease to have some sort of delineation of the responsibilities when it is turned back over. Mr. Hambley asked the expected life of a parking deck. Mr. Sharb said they drafted the document with a proposed original term of 50 years. Ms. Ray said the County may

## COMMISSIONERS MEETING, MONDAY, SEPTEMBER 8, 2008

opt to extend the lease for another 50 years. Mr. Sharb said there are all sorts of things that could be done. If they have a different idea than assuming the Board in place at the time would work with the City, they need to determine that. That Board might opt to extend the arrangement going forward, or turn the property over to the City, for example. Mrs. Geissman said she would like something in the document saying whose responsibility it would be to demolish the deck if it was no longer needed. Mr. Jakab asked if that needed to be in the agreement or the ground lease. Mr. Sharb said possibly in both documents.

Mr. Sharb said the expectations of the capacity of the improvement are discussed on Page 9 of "The Project". Mr. Jakab gave him the updated figures changing 390 parking spaces to 340, and 518 changed to 505. The Library's number of spaces dropped from 50 to 37.

Mr. Sharb said there is a provision on Page 11 that the County also has a large construction project and the City and County will cooperate and coordinate to allow each their own space to do their own projects. The County agrees to provide to the City, by way of license or otherwise, the temporary right to use other spaces for their contractors to store machines or deposit dirt, and this is on Page 12. Mr. Jakab suggested that Mr. Sharb add "as practical" to allow the County some flexibility.

Article V, Page 13 discusses funding. Mr. Sharb said the expectation is that the parties will do what is necessary to raise the necessary funds. The County will turn over the money in a way that isn't a one-time, up-front deposit, but it would be provided as needed. The County's share of the project is expected to be identified initially as a fixed sum of money, not to increase, but potentially subject to decrease if all the expectations about the cost of the improvement turn out to be over-inflated, and this is on Pages 14 and 15.

Article VI, Page 16 discusses use, and that states that during regular business hours, the County's use is the priority use. A schedule was drafted and that may not be appropriate because the garage is expected to be generally available during business hours for all County uses. It was drafted that there would be areas of the garage that are not going to be generally available, and reserved spaces (discussed in article IX) still need to be negotiated. Also worthy of note, is that there may be other users and the City may sublease a portion of the facility. During regular business hours, those users would be treated with the same priority as the County. Mrs. Geissman asked if there was any means of monitoring the usage. Mr. Sharb said the City will provide someone at the site at all times to monitor it and put policies in place for use. Mr. Jakab said the City is opposed to that section and they do not plan to staff the garage full time. They may assign part of their regular maintenance staff to rotate oversight of the structure with their other buildings. Ms. Ray pointed out that when they are not charging for parking, there is no reason to have someone there. Mrs. Geissman asked how they would monitor certain spaces for certain groups. Ms. Ray said the parking deck will not be full, and if they have a problem that would be necessary. Mr. Hambley asked if the judges would have their own spaces. Mr. Jakab said, perhaps they would. Mr. Hambley said they do now and the County monitors that. Mr. Jakab said the City is willing to install security cameras. Mr. Sharb said security is the City's responsibility. Mr. Hambley asked if the County would have a feed into the security cameras. Ms. Ray said they would; the County's security may be needed occasionally to escort someone to their car.

## COMMISSIONERS MEETING, MONDAY, SEPTEMBER 8, 2008

Mr. Jakab asked if there were legal issues to designate parking spaces for the Library. Mr. Sharb said no one envisions that there would be a separately designated area for Library patrons. The facility will be sized so there will be enough spaces for everyone, even at maximum use. Mr. Hambley pointed that the Library's \$400,000 contribution was for parking for their employees. Patrons could park there, but they would have to go out and around, which is a passive way to direct traffic.

In Article VII starting on Page 20, it deals with any necessary alterations or improvements to the parking facility. It references the Parking Facility Advisory Committee where day-to-day issues are dealt with outside of the two governing bodies. Mr. Jakab said Mayor Leaver expressed the opinion that she would like that deleted. Ms. Ray said Mayor Leaver did not want a large formal board that meets regularly and has minutes taken. She indicated she would be comfortable with an advisory committee with a representative from the City, a representative from the County, and the administrative judge of the County courts. Mr. Sharb will incorporate that into the document. The article also states that utilities and maintenance are to be provided by the City. The dollar amount for security is yet to be determined.

Each party must insure their own interest according to Article VIII. Article IX. It says that the City cannot sell the facility without input from the County. Article X is about the Parking Facility Advisory Committee that can be redrafted in any way that is agreeable to the parties. In conclusion, Mr. Sharb said the purpose of the document is to get all of the expectations "in black and white" so that everybody knows what they are getting into as they move forward. It is made simpler due to most of the responsibility being placed on one party. He asked if there were any questions.

Mr. Jakab asked in what form the final approval would take place for the two phases: one is the Site Plan and the other is the Facilities Plan. The Site Plan is the product of the current consultant that is working on putting together the proposal documents. The Facilities Plan is the proposal that is actually submitted and deemed to be best by the City and then presented to the County for approval. Mrs. Geissman asked who determines the footprint of the garage. Mr. Jakab said that is in the Site Plan that the Commissioners will need to approve it. The City's consultant is working on it now. The Commissioners will want their architect to review and comment on that Site Plan before they approve it. The Board agreed to approve the plans by means of a Board of County Commissioners' resolution.

Mr. Jakab said the ground lease with the property description was forthcoming. The property description cannot be done until the Site Plan is almost completed. Mr. Hambley asked when the City would have a draft for review. Mr. Jakab said the architects arrived in town last week so it they will probably have a draft in a couple of weeks. Mr. Sharb said the City's Law Director asked him if they needed a separate ground lease. Mr. Sharb said he feels that the agreement and the ground lease should be dealt with separately and distinctly. The ground lease is the preferred way because the City will be owning and operating the facility; leasing them the ground is the best way to do that. It also makes sense because there may be all sorts of reasons why the agreement gets amended and changed over the years for things that none of them can possibly envision today. None of that should have to affect the underlying leasing of the ground.

## COMMISSIONERS MEETING, MONDAY, SEPTEMBER 8, 2008

Mr. Jakab asked if the County is requiring that any fees collected by the City be deducted from the overall maintenance total. Mr. Sharb said it says the fees would be applied to the costs and those costs could be narrowed down. Mr. Jakab questioned the part of the draft that says that the County's maintenance contribution would be a flat number. Mr. Sharb said the County might reasonably take the view that if their responsibility is capped, that they do not care what they do with the fees. Or, if there was an unexpected windfall from fees, that could benefit both parties. Mr. Jakab asked about reserved spaces being reserved only for County users, and not necessarily for the users that the City may sublease to. Mr. Sharb said that is not what is in the document and Mr. Jakab said he would not want to make that change. They can add \$900,000 to the document for the County's share of the parking facility as that was approved by the Board. Mr. Jakab asked for any questions or comments.

Ms. Ray suggested that they obtain a recap of costs from the surface parking over the years to review, and the Finance Director said he would provide it. Mr. Hambley said the concept of undivided ownership of the parking facility needs to be stated. Mrs. Geissman asked if there would be a CORSA insurance coverage issue. Mr. Sharb said each party would need to provide their own liability insurance and the City would have the responsibility of providing casualty insurance as the builder/operator. They each should have liability insurance and have each other named as an additional insured.

Mr. Jakab said the attorney will make the changes and they will be brought back to the Board for review. The City will be commissioning a survey of the site. He told Planning Director Greg Hannan that the County would most likely be willing to pay for half of the cost. There are some environmental tests that need to be made at the old service station location and they received a letter that says it is good. They were asked about the foundations of the jail and old Prosecutor's Office that were previously removed as to what the builder may find; that information was provided. The Prosecutor's Office contacted him and said they would like to see some changes in the architect agreement. He will meet with Tom Karas from the Prosecutor's Office tomorrow.

Mr. Jakab asked the Commissioners their opinions about some options for the parking facility that were presented by the architect. The Commissioners said they are interested in the least obtrusive design: a poured-in-place, two-story parking terrace with a brick façade. They did not want pre-cast construction as an alternate. They prefer placement of the structure to maximize surface parking area for the greatest flexibility for any future building expansion needs. Because it would add about \$500,000 up front to allow for the City to plan for vertical expansion, they decided not to allow for that.

Desman Associates, the company that the City retained as its architect, was responsible in-part for the design of the Easton Town Center's parking terrace in Columbus. They have also had experience working with the architect that the County selected, Silling Associates, Inc. The goal is to build something that looks as good from the back as it does from the front.

At 11:00 a.m., Mr. Hambley moved to adjourn the meeting. Ms. Ray seconded the motion. There was no discussion. Roll call showed all Commissioners voting AYE.

**RESOLUTIONS PASSED 9/8/08**

**COMMISSIONERS MEETING, MONDAY, SEPTEMBER 8, 2008**

<u>Number</u>	<u>Resolution Title</u>
08-0855	RESOLUTION COMMENDING CONNIE HANZLICEK FOR HER YEARS OF SERVICE WITH MEDINA COUNTY
08-0856	PROCLAIMING SEPTEMBER 9, 2008 AS FAITH IN ACTION MEDINA COUNTY CAREGIVERS DAY
08-0857	RESOLUTION TO ALLOW CLAIMS AND AUTHORIZE ISSUANCE UPON THE TREASURER IN SETTLEMENT OF SUCH LIST OF CLAIMS
08-0858	RESOLUTION AMENDING THE 2008 APPROPRIATIONS RESOLUTION BY TRANSFERRING APPROPRIATIONS
08-0859	RESOLUTION AUTHORIZING THE COUNTY AUDITOR TO TRANSFER FUNDS FROM THE CHILD SUPPORT ENFORCEMENT AGENCY FUND TO THE GENERAL FUND FOR DOMESTIC RELATIONS COURT SERVICES
08-0860	RESOLUTION AUTHORIZING THE COUNTY AUDITOR TO THE GENERAL FUND FOR INDIRECT COSTS
08-0861	RESOLUTION AUTHORIZING THE COUNTY AUDITOR TO TRANSFER FUNDS FROM VARIOUS COUNTY DEPARTMENT ACCOUNTS TO THE MEDINA COUNTY PRINT SHOP REVENUE LINE ITEM
08-0862	RESOLUTION APPROVING THE SUBMISSION OF THE SFY09 FUNDING RECOMMENDATIONS FOR THE OHIO CHILDREN'S TRUST FUND GRANT
08-0863	RESOLUTION AMENDING THE CATHOLIC CHARITIES AGREEMENT FOR SERVICE COORDINATORS, A FAMILY SUPPORT SPECIALIST, & INTAKE & REFERRAL SERVICES FOR THE MEDINA COUNTY FAMILY FIRST COUNCIL HELP ME GROW PROGRAM
08-0864	RESOLUTION APPROVING PERSONNEL CHANGES FOR THE EMPLOYEES UNDER THE JURISDICTION OF THE MEDINA COUNTY COMMISSIONERS
08-0865	AUTHORIZING A REQUEST FOR PROPOSAL PROCESS FOR THE PROVISION OF ADMINISTRATION SERVICES FOR THE COUNTY'S EMPLOYEE HEALTH CARE PROGRAM
08-0866	RESOLUTION TO ALLOW EXPENSES OF COUNTY OFFICIALS
08-0867	RESOLUTION APPROVING A THREE (3) YEAR AGREEMENT BETWEEN MEDINA COUNTY SHERIFF AND OHIO PATROLMEN'S BENEVOLENT ASSOCIATION DEPUTIES

All deliberations concerning official business and formal actions by this Board of Commissioners were conducted in an open public meeting this eighth day of September, 2008.

Respectfully submitted,

COMMISSIONERS \_\_\_\_\_  
Patricia G. Geissman

OF \_\_\_\_\_  
Stephen D. Hambley

\_\_\_\_\_  
Pam Vereb, Clerk

MEDINA COUNTY \_\_\_\_\_  
Sharon A. Ray